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FACSIMILE COVER SHEET
PLEASE DELIVER IMMEDIATELY!!!!

Our Ref.: 620-73 Date: May 9, 2002
Your Ref.: Application No: 08/776,350

To: Examiner Ungar
Firm: USPTO
Facsimile No.: 7037463142 (Examiner's Tel. No.: 7033052181)
From: B. J. Sadoff

Number of Pages (including cover sheet): 46
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PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

bjs
FACSIMILE OPERATOR

ATTACHMENT/S: Submission with 2 copies of cover sheet containing charge
authorization, Declaration of S. Moira Brown with noted attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
In re Patent Application of			
MacLEAN et al		Atty. Ref.:	620-73
Serial No.	08/776,350	Group:	1642
Filed:	April 18, 1997	Examiner:	Ungar
For:	TREATMENT OF CANCER USING HSV MUTANT		
* * * * *			

CONFIDENTIALITY NOTE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 620-73

VIA FACSIMILE

C# M#

703 746 3142

MacLEAN et al

Group Art Unit: 1642

(Examiner's Telephone N :

Serial No. 08/776,350

Examiner: Ungar

703 305 2181)

Filed: April 18, 1997

Date: May 9, 2002

Title: TREATMENT OF CANCER USING HSV MUTANT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (Ignore Improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,863

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MacLEAN et alAtty. Ref.: **620-73**Serial No. **08/776,350**Group: **1642**Filed: **April 18, 1997**Examiner: **Ungar**For: **TREATMENT OF CANCER USING HSV MUTANT**

* * * * *

May 9, 2002

VIA FACSIMILE – 703 746 3142
(Examiner's Telephone No:
703 305 2181)Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SUBMISSION

Supplemental to the Amendment filed April 5, 2002, entry and consideration of the following and the attached are requested.

As discussed with the Examiner on April 26, 2002, and May 7, 2002, the applicants believe the attachments to the Amendment of April 5, 2002, and the remarks relating to the same, may not have been as clearly explained as could have been and submit the attached Declaration of S. Moira Brown to more completely describe the previously submitted data and the experiments relating to the same.

The applicants provide the following Table as a reference to indicate the correspondence between the previously submitted Figures and the graphs attached to the attached Declaration.

Ma LEAN et al
Serial No. 08/776,350

Surname	Figure attached to April 5, 2002 Amendment	Label of Graph attached to attached Amendment
S	1a	Case 2
R	1b	Case 3
F	2	Case 1
B	3	Case 5
S1	4	Case 11
K	5	Case 7
E	6	Case 10
C	7	Case 6
P	8	Case 12
M	9	Case 13
P1	10a	Patient P1
G	10b	Patient G
K1	10	Case 9
Y		Case 4
E		Case 10
N		Case 8

The undersigned notes that the attached Declaration, in ¶ 14, refers to Patient P and should refer to Patient P1 .

MacLEAN t al
S rial No. 08/776,350

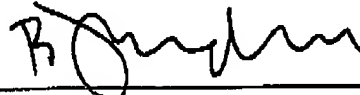
The applicants regret any confusion caused by the earlier submitted remarks and acknowledge, with appreciation, the Examiner's willingness to consider the attached prior to issuance of a further Action.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff

Reg. No. 38,663

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